

NATIONAL RECREATION AND PRESERVATION

Appropriation Language

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, [\$53,899,000] \$68,648,000, of which [\$2,000,000] \$20,000,000 shall be available until expended to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58: Provided, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services: Provided further, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program].

Justification of Proposed Language Changes

1. Addition: “until expended”

The proposed addition differentiates funding for Urban Park and Recreation Recovery Act from other funding under this Appropriation which is available only for the year in which appropriated. Grant funding is more effectively managed when available for more than one year.

2. Deletion: “, and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58:”

This provision is no longer needed, as it refers specifically to funds appropriated in Fiscal Year 2000.

3. Deletion: “Provided, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services:”

This language is not necessary because the provision remains in effect without re-statement.

4. Deletion: “Provided further, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program”

This language is proposed for deletion as being unnecessarily restrictive.

Appropriation Language Citations

1. For expenses necessary to carry out recreation programs,

16 U.S.C. 460 1 - 460 1-3 and 460 1-6a; 40 U.S.C. 484(k)(2)-(3)

16 U.S.C. 460 1 - 460 1-3 authorizes certain activities which have the common purpose of helping provide outdoor recreation resources for the Nation. These activities are: (1) inventory and evaluation of needs and resources; (2) classification of resources; (3) formulation, maintenance, and revision of a comprehensive nationwide plan; (4) technical assistance to non-Federal entities; (5) encouragement of interstate and regional cooperation; (6) research and education; and (7) Federal inter-Departmental cooperation and coordination.

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16 U.S.C. 460 l-6a requires reports to Congress on Federal admission and recreation use fees and authorizes fee program administration.

40 U.S.C. 484(k)(2)-(3) authorizes disposal of Federal surplus real property for use as public park or recreation areas, and requires determination and enforcement of compliance with terms of disposal.

2. natural programs,

16 U.S.C. 1a-5, 1241-1251, and 1271-1287

16 U.S.C. 1a-5 requires that certain information be provided to Congress regarding the Registry of Natural Landmarks.

16 U.S.C. 1241-1251 requires National Trails studies.

16 U.S.C. 1271-1287 requires Wild and Scenic Rivers studies.

3. cultural programs,

16 U.S.C. 461-467, 469 - 469c-2, 470x - 470x-6 and 470aa-mm; 25 U.S.C. 3001-3013

16 U.S.C. 461-467 authorizes certain activities to preserve historic sites, buildings, and objects of national significance for public use, and expressly authorizes appropriation of funds for this purpose.

16 U.S.C. 469-469c-2 establishes a program for preservation of historical and archeological data which might otherwise be lost or destroyed as the result of a Federal or Federally assisted or licensed project, activity, or program, and authorizes appropriation of specific amounts for this purpose.

16 U.S.C. 470x - 470x-6 establishes a National Center for Preservation Technology and Training within the Department of the Interior.

16 U.S.C. 470aa-mm authorizes certain archeological resources protection activities.

25 U.S.C. 3001-3013 authorizes a Native American graves protection and repatriation grant program.

4. heritage partnership programs,

Division II of Public Law 104-333; various provisions in permanent law, listed below

Division II of Public Law 104-333 consists of Titles I through IX, each of which authorizes Federal financial, technical or other assistance, cooperation or support in the management of a Heritage Area, Corridor, Project or Partnership established or designated by the respective Title within certain areas for specific heritage preservation and interpretation purposes.

5. environmental compliance and review,

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42 U.S.C. 4332 and 49 U.S.C. 303

42 U.S.C. 4332 requires writing and reviewing outdoor recreation aspects of environmental impact statements.

49 U.S.C. 303 requires review of proposed Department of Transportation projects which could have an adverse impact on public park and recreation areas and historic sites.

6. international park affairs,

16 U.S.C. 470-1 and 1537; 42 U.S.C. 4332

16 U.S.C. 470-1 declares it Federal policy "in cooperation with other nations...to...provide leadership in the preservation of the prehistoric and historic resources of the international community of nations...."

16 U.S.C. 1537 requires or authorizes the Secretary to encourage or cooperate in certain ways with other nations in "the conservation of fish or wildlife and plants, refers to U.S. commitment to the worldwide protection of endangered or threatened species, and requires cooperation with other nations to implement the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere.

42 U.S.C. 4332 requires support of "international cooperation in anticipating and preventing a decline in the quality of mankind's world environment."

7. statutory or contractual aid for other activities,

Various provisions in permanent law, listed below

Various provisions in permanent law authorize appropriations requested for financial aid for certain organizations, as follows:

16 U.S.C. 469d-469i - Ice Age National Scientific Reserve.

16 U.S.C. 1101-1113 - Roosevelt Campobello International Park Commission.

20 U.S.C. 4441-4451 - Native Hawaiian Culture and Arts Program grant recipients Public Law 98-398 as amended by Section 902 of Division I of Public Law 104-333 - Illinois and Michigan Canal National Heritage Corridor Commission.

Public Law 96-428 - Martin Luther King, Jr., Center for Nonviolent Social Change.

Public Law 99-388 - Johnstown Area Heritage Association.

Public Law 99-647 as amended by Public Law 101-441 and by Section 901 of Division I of Public Law 104-333 - Blackstone River Valley National Heritage Corridor Commission.

Public Law 100-433 - National Constitution Center.

Public Law 100-692 - Delaware and Lehigh Navigation Canal Commission.

Public Law 100-698 as amended by Section 814(d)(1)(L) of Division I of Public Law 104-333 - Southwestern Pennsylvania Heritage Preservation Commission and Steel Industry Heritage Corporation.

Public Law 103-433 - New Orleans Jazz Commission.

Public Law 103-449 - Quinebaug-Shetucket National Heritage Commission.

Public Law 102-419 - Dayton Aviation Heritage Commission.

Public Law 102-525 - Brown Foundation.

Public Law 105-277 - Mandan On-a-Slant Village - Fort Abraham Lincoln Foundation.

8. and grant administration, not otherwise provided for, \$_____. of which \$_____ shall be available
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until expended to carry out the Urban Park and Recreation Recovery Act of 1978

16 U.S.C. 470a(e) and 2501-2514; 25 U.S.C. 3001-3013;
Section 507 of Division I of Public Law 104-333

16 U.S.C. 470a(e) authorizes administration of a program of historic preservation grants to States, Indian tribes, and nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

16 U.S.C. 2501-2514 authorizes an urban park and recreation recovery grant program.

25 U.S.C. 3001-3013 authorizes a Native American graves protection and repatriation grant program.

Section 507 of Division I of Public Law 104-333 authorizes grants to eligible historically black colleges and universities for the preservation of historic buildings and structures on their campuses, to be funded from appropriations to carry out the National Historic Preservation Act.